

REMARKS

The non-final Office Action of April 13, 2010 has been carefully considered. It is respectfully submitted that all issues raised are traversed, being hereafter addressed with reference to the relevant headings appearing in the Detailed Action section of the Office Action.

Claims 1-4, 7-10, 24, 27-28, 31-32, 35, 39, 42 and 44 have been amended. We submit that no new material has been added by the amendments.

Claim Rejections – 35 USC § 101

The Office Action has rejected claims 24-25, 32, 39 and 44 as being directed to non-statutory subject matter. In this regard, the Examiner has asserted that those claims lack necessary physical articles or objects to constitute a machine or manufacture within the meaning of 35 USC 101.

However, we note that claims 24-25, 32, 39 and 44 each recite a processing system and the claimed features relate to adaptations of the processing system, such that the claims are directed to a machine. Despite this, claims 24, 32, 39 and 44 have each been amended to recite additional elements of the apparatus, and as a consequence the claims are now tied to a processing system having a processor for performing specific steps, and in the case of claim 32, input and output devices. We therefore submit that the claims are now tied to a particular machine and hence are statutory. These amendments are supported by the description of the specification, for example, see pages 13 and 14.

Claim Rejections – 35 USC § 103(a)

The Examiner has rejected claims 1-6, 9-25, 27-32, 35-39 and 42-44 as being unpatentable over Rigole (US 7,139,728 B2) in view of Hanagan (US 2001/0056362). Furthermore, the Examiner has rejected claims 7-8 and 47 as being unpatentable over Rigole and Hanagan in view of Gangopadhyay (US 6,973,638).

Firstly, we note that claim 1 has been amended to clarify that the method of claim 1 allows the user to "*select a plurality of components*" and the method causes the processing system to "*determine a combination of the selected plurality of components*". Similar amendments have been incorporated into the other independent claims, and selected dependent claims, where appropriate.

Rigole discloses systems and methods for online selection of service providers and management of service accounts. We note that Rigole mainly focuses on enabling consumers to compare and shop for services on-line, manage, update, add and/or cancel service accounts across different service sectors (see column 3, lines 21-24). A consumer is able to select from a variety of services from a variety of service providers, and this selection may be assisted by allowing the comparison of criteria, but the end result is the selection by the consumer of a single service provided by a single service provider, which can subsequently be initiated using an online enrolment process.

On the other hand, the claimed invention allows a user to obtain a desired service by defining a component combination using a plurality of user selected components. Each component corresponds to a service portion so that implementation of the components in accordance with the user defined component combination causes the sequence of service portions to be performed, such that the desired service is performed. Thus, the service is effectively composed of a plurality of individual service portions.

In direct contrast to the claimed invention, Rigole only discloses allowing the selection of a single service, and provides no teaching or suggestion towards obtaining a desired service using a component combination, and in particular, a component combination including a plurality of components defining a sequence of service portions.

In fact, Rigole does not even disclose, teach or suggest the use of components, alone or in a component combination, wherein each component is either "*corresponding to a respective*

service portion provided by a respective entity" as required by independent claims 1, 24, 27 and 32, or *"embodying a service portion ... the service portion being performed by an entity"* as required by independent claims 35 and 29. The Examiner has referred to column 3, lines 35-42 of Rigole as allegedly disclosing the use of components as claimed; however this particular disclosure only describes means to allow a consumer to select a particular service from a list of services ordered by certain service characteristics. Rigole makes no explicit or implicit disclosure relating to any elements which the skilled person would consider as being equivalent to components as claimed.

The only mention of the term "component" by Rigole relates to typical hardware and software "components" of a computer system, such as a central processing unit, memory and software applications (see column 5, lines 27-47). We note that the Examiner has referred to these "components" in asserting that certain claimed features are shown. However, the skilled person would understand that these "components" of Rigole are not *"corresponding to a respective service portion provided by a respective entity"* as per the claimed invention, and instead relate to an entirely different meaning of the term to that which is clearly given in the claims.

Given this understanding of the term "component", we submit that Rigole fails to explicitly show any of the limitations of claim 1, and in particular does not *"provide component specifications"*, *"determine a combination of ... components"*, or *"implement the components"*.

Furthermore, Rigole does not relate to service portions as recited in the claims. In this regard, we respectfully disagree with the portion of the Examiner's response to the Applicant's arguments of the previous response, where the Examiner has asserted that "service sectors" described in Rigole at column 11, lines 10-19 are equivalent to service portions. However, the service sectors of Rigole correspond to particular industries, examples of which are described at column 11, lines 10-19. In contrast, each service portion is a part of the desired service, which when performed in a sequence in accordance with a component combination, provides the user with the desired service, as per claim 1.

Rigole further fails to disclose particular claimed features, as will be outlined below.

For example, with regards to claim 1, the Examiner has asserted that Rigole discloses determining a component combination, with reference to column 3, lines 42-46. However, this identified portion of Rigole only relates to the selection by the user of a particular service and service provider, and makes no mention selecting a plurality of components or defining a combination. As mentioned above, Rigole does not ever mention the use of a component combination, or any combinations of services whatsoever. It is therefore submitted that the feature of "*determining a combination of the selected plurality of components in accordance with input commands received from the user*" is also not shown by Rigole.

The Examiner has also asserted that Rigole discloses "*interconnections between at least some of the components defining transfer of data between the entities of the respective components*" as required by claim 1. In this regard, the Examiner has referred to column 10, lines 1-24 of Rigole, which in fact relates to transmission of data between "components" of one or more computer systems (as discussed above), but not components "*corresponding to a respective service portion provided by a respective entity*" as per the claimed invention.

In addition, the Examiner has asserted that Rigole discloses implementing the components in accordance with the component combination. However, given that Rigole makes no use of component combinations or any equivalent functionality, the skilled person would understand that this feature cannot be shown. In any event, the disclosure of Rigole at column 3, lines 46-49, which was identified by the Examiner as being relevant to this feature, only describes the initiation of a single selected service, without any reference to other services or combinations of service portions. Accordingly, we respectfully submit that the step of claim 1 to "*implement the plurality of components in accordance with the component combination*" is also not shown by Rigole.

Further to the above discussed distinctions, the Examiner has acknowledged certain features that Rigole also fails to disclose, including "*the defined component combination defining a sequence*

of service portions and one or more user defined interconnections between at least some of the components", and "wherein a service request is transferred to each entity requesting the respective service portion to be performed, and wherein each service request includes an indication of the interconnections of the respective component, thereby causing the sequence of service portions to be performed, such that the desired service is performed".

Given that Rigole fails to disclose the majority of the limitations of claim 1, and fails to even disclose the fundamental concepts of components and component combinations, we respectfully submit that there would be no reason for a skilled person to consider the teachings of Rigole to be particularly relevant to the patentability of claim 1.

The Examiner has asserted that Hanagan remedies the shortcomings of Rigole. However, as previously argued in our response dated 30 December 2009, and as not rebutted by the Examiner in the present Office Action, the components of Hanagan are not *"corresponding to a respective service portion provided by a respective entity"*, and therefore it is submitted that Hanagan also fails to show the concept of components in accordance with claim 1. Accordingly, any possible combination of Rigole and Hanagan would fail to show the fundamental concept of components in the sense of the claimed invention.

Furthermore, the integrated components of Hanagan are not equivalent to a *"component combination defining a sequence of service portions and one or more user defined interconnections between at least some of the components"* as per claim 1.

The Examiner has particularly identified paragraph [0078], lines 1-11 of Hanagan as allegedly disclosing a *"component combination defining a sequence of service portions "*. However, this portion of Hanagan merely describes a "bundle of services", and these services in the bundle neither correspond to respective components nor does Hanagan teach or imply that they have a sequence. Therefore it is respectfully submitted that this particular disclosure of Hanagan is not relevant to component combinations.

With regards to the "*interconnections between at least some of the components*" recited in claim 1, the Examiner has asserted that paragraph [0185], lines 1-10 of Hanagan is relevant. However, this particular disclosure relates to the specification of association rules between services themselves, but not interconnections between components as part of a component combination. Accordingly, we submit that interconnections between components are not shown in the identified portion of Hanagan.

Given the above, we respectfully submit that the limitations of a "*component combination defining a sequence of service portions and one or more user defined interconnections between at least some of the components*" are not disclosed by Hanagan, and therefore any combination of Rigole and Hanagan would not render the claimed limitations obvious for at least this reason.

In the rejection of claim 1 in view of Hanagan, and the Examiner's reply to the Applicant's arguments of the previous response, the Examiner has asserted that paragraph [0081], lines 3-9, where a work request is analyzed to produce a workflow which identifies the proper order in which tasks must be performed, allegedly discloses providing an interconnection between the tasks and thus discloses the requirement that "*each service request includes an indication of the interconnections of the respective component*". However, we would note that determining the workflow could be achieved in any number of ways and as this feature is also not explicit, we do not believe this feature is shown as asserted.

In any event, even if the skilled person was motivated to combine the teaching of Hanagan and Rigole, which we do not concede, there is no possible combination of those teachings that would lead the skilled person to transfer a service request to an entity, to implement a component.

In the Examiner's reply to the Applicant's arguments of the previous response, the Examiner has asserted that a network element is an entity providing a service portion of a component. However, it is clear from the disclosure of Hanagan that the components of Hanagan do not correspond to respective service portions provided by the respective network elements, and thus the network elements of Hanagan are not equivalent to the claimed entities.

In addition to the failure of Hanagan to show each of the features which the Examiner has acknowledged as not being shown by Rigole, as discussed above, we respectfully submit that Hanagan also fails to remedy the other shortcomings of Rigole which were identified above.

Given the above, we respectfully submit that any combination of Rigole and Hanagan would fail to either disclose or render obvious all of the features recited in claim 1. Accordingly, we submit that claim 1 is patentable over those citations as it stands.

We also submit that similar arguments apply to the independent claims 24, 27 and 32, which have limitations that are substantially similar to those of claim 1, and therefore these claims are also patentable.

In addition, the remaining independent claims 35, 39, 42 and 44 recite a number of the above discussed features that are not shown or rendered obvious by Rigole and Hanagan, and therefore we submit that these claims are also patentable over those citations for similar reasons as provided above. Finally, given that numerous distinctions have been identified in the independent claims, we submit that the rejections against the dependent claims are moot.

Appl. No. 10/533,577
Original Reply dated July 8, 2010
Reply to non-final Office Action mailed April 13, 2010

CONCLUSION

In view of the foregoing, it is respectfully submitted that the present application is believed to be in condition for allowance. Accordingly, the Applicant requests a Notice of Allowance of all the claims presently under examination.

Respectfully submitted,

DLA PIPER LLP (US)

Dated: September 13, 2010

By /J. D. Harriman II/
J. D. Harriman II
Reg. No. 31,967
Attorney for Applicant

DLA PIPER LLP (US)
1999 Avenue of the Stars, Fourth Floor
Los Angeles, CA 90067